## Procedures for Voluntary Conversions and Dismissals

## A. Voluntary Conversions

7 to 11	Motion, case not previously converted, opportunity for hearing, order granting discretionary with court. 11 U.S.C. § 706(a), (b).
7 to 12	Motion, case not previously converted, opportunity for hearing, order granting discretionary with court. 11 U.S.C. § 706(c), (d).
7 to 13	Motion, case not previously converted, opportunity for hearing,* order granting discretionary with court.** 11 U.S.C. § 706(c), (d).
11 to 7	Motion, debtor qualifies under § 1112(a), order granting mandatory. 11 U.S.C. § 1112(c); Fed. R. Bankr. P 1017(f)(2).
11 to 12	Motion made before discharge, debtor requests, conversion is equitable, order granting discretionary with court. 11 U.S.C. § 1112(d).
11 to 13	Motion made before discharge, debtor requests, order granting discretionary with court. 11 U.S.C. § 1112(d).
12 to 7	Debtor converts, no notice or order. 11 U.S.C. § 1208(a); Fed. R. Bankr. P. 1017(f)(3).
12 to 11	Motion, if qualified, order granting discretionary with court. 11 U.S.C. § 1208(e).
12 to 13	Motion, if qualified, order granting discretionary with court. 11 U.S.C. § 1208(e).
13 to 7	Debtor converts, no notice or order. 11 U.S.C. § 1307(a); Fed. R. Bankr. P. 1017(f)(3).
13 to 11	Motion before confirmation, if qualified, order granting discretionary with court. 11 U.S.C. § 1307(d), (g).
13 to 12	Motion before confirmation, if qualified, order granting discretionary with court. 11 U.S.C. § 1307(d), (g).

<sup>\*</sup>No notice is necessary if the conversion is in response to a motion brought under 11 U.S.C. § 707(b). *See* Fed. R. Bankr. P. 1017(e).

<sup>\*\*</sup> Although 11 U.S.C. § 706(a) states that "a debtor," as opposed to the Court, may convert a case from chapter 7 to another chapter at any time, the Judges in the Eastern District have interpreted *Marrama v. Citizens Bank of Mass.*, 549 U.S. 365 (2007), to provide that the debtor must be eligible to convert to the chapter requested, and interested parties must have notice and opportunity to be heard before conversion takes place.

## B. Voluntary Dismissals

7, 11	Motion, opportunity for hearing, order granting discretionary with
	court. 11 U.S.C. §§ 707(a), 1112(b)(1).
12	Motion, case not previously converted, mandatory order
	dismissing. No notice necessary if case not previously converted.
	11 U.S.C. § 1208(b).
13	Motion, case not previously converted, mandatory order
	dismissing. No notice necessary if case not previously converted.

11 U.S.C. § 1307(b).